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OFFICE OF PETITIONS

In re Application of :
Donghui Lu :
Application No. 10/811,591 :
Filed: March 29, 2004 :
Attorney Docket No. 42P19023 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on January 22, 2008, to revive the above-identified application.

The application became abandoned for failure to respond to the final Office action mailed March 8, 2007. A Notice of Abandonment was mailed on November 14, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) under 37 CFR 1.114, with the \$810 filing fee and an amendment; (2) the petition fee of \$1,540; and (3) a proper statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application is being revived for consideration of the RCE.

37 CFR 1.137(c) requires a terminal disclaimer dedicating to the public a terminal part of the term of any patent granted on the above-identified application or any patent granted on any continuing application that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. Since the application is not a utility or plant application filed on or before June 8, 1995, a terminal disclaimer is not required. Therefore, the fee of \$130 will be refunded to petitioner's deposit account.

The application file is being referred to Technology Center Art Unit 1792, for processing of the RCE and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions